

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

Bail Appl..No. 4910 of 2007()

CMP.4315/2007 of J.M.F.C.,TIRUR
CRIME NO.12/07 OF KUTTIPPURAM EXCISE RANGE.
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PETITIONER/ACCUSED

BALAN, S/O ARAMUGHAN,
KAKKOTIL HOUSE, NADUVATTOM AMSOM,DESOM,
TIRUR TALUK.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT/STATE

1. THE EXCISE INSPECTOR,
KUTTIPPURAM EXCISE RANGE.
2. STATE REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY P.P. SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10/08/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

B.A. NO. 4910 of 2007

Dated this the 10th day of August, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 3 x 375 ml. of Indian Made Foreign Liquor for sale. He was arrested on 30/7/07. He continues in custody from that date. The learned Public Prosecutor submits that the petitioner has no history of any criminal antecedents.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioner shall be

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released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 13/8/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.25,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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